



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

**APPLICABILITY**

**PRISON**

OFFENDER/SPANISH MANUALS

**EFFECTIVE DATE**

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**DOC 320.120**

**POLICY**

**TITLE**

**JUVENILE BOARD OFFENDERS**

**REVIEW/REVISION HISTORY:**

Effective: 11/9/15

**SUMMARY OF REVISION/REVIEW:**

New policy. Read carefully.


**APPROVED:**

Signature on file

\_\_\_\_\_  
**DAN PACHOLKE**, Secretary  
Department of Corrections

10/24/15

\_\_\_\_\_  
Date Signed

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## REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 9.94A.730](#); [RCW 9.95](#); [RCW 10.95.030](#); [WAC 381-10](#); [DOC 320.100 Indeterminate Sentence Review Board \(ISRB\)](#); [DOC 350.200 Offender Transition and Release](#); [DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment](#)

## POLICY:


- I. Upon approval by the Indeterminate Sentence Review Board (ISRB) per RCW 10.95.030 and RCW 9.94A.730, qualified offenders convicted as an adult of an offense committed before their 18<sup>th</sup> birthday may be considered for release by the ISRB after serving:
  - A. 25 years in total confinement for Aggravated Murder 1. These offenders will be referred to as Aggravated Murder Juvenile Board (AMJUVBRD) offenders.
  - B. 20 years in total confinement for any other offense. To be considered for early release, these offenders must petition the ISRB and meet specific eligibility criteria. Once approved by the Board, these offenders will be referred to as Long Term Juvenile Board (LTJUVBRD) offenders.
- II. The Department will assess these offenders for the ISRB and provide appropriate reports and information for releasability hearings.
- III. This policy does not apply to offenders already under ISRB jurisdiction (i.e., pre-Sentencing Reform Act and Community Custody Board offenders).

## DIRECTIVE:

- I. Identification
  - A. Reception Diagnostic Center (RDC) records employees will:
    1. Identify newly received offenders who are AMJUVBRD cases upon their arrival at Washington Corrections Center and Washington Corrections Center for Women, and document the identification in the General Status screen in the offenders' electronic files as applicable.
    2. Notify the ISRB of newly received AMJUVBRD offenders.
- II. Offender Assessment
  - A. In order to be considered for early release, Juvenile Board offenders must be assessed to identify programming and services to prepare for release.

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1. AMJUVBRD offenders will be assessed at 6 years to the end of their minimum term.
2. Only potential LTJUVBRD offenders who have not committed and been convicted of any new crimes after their crime of conviction will be assessed. The assessment will be conducted after the offender has served 14 years.
  - a. The Counselor will provide eligible offenders with DOC 02-401 Juvenile Board Offender Acknowledgment and Declaration of Intent. Offenders will declare if they intend to seek early release.
    - 1) If an offender changes his/her mind at a later date, the Counselor will provide the offender DOC 02-401 Juvenile Board Offender Acknowledgment and Declaration of Intent at that time.
    - 2) The Victim Services Program will be notified of any eligible offender who declares that s/he intends to seek early release.
- B. At the offender's assessment eligibility date indicated in his/her electronic file, the assigned Counselor will initiate the assessment process. To prepare for the assessment, the Counselor will:
  1. Update the Offender Needs Assessment to reflect the offender's current needs,
  2. Review the offender's electronic imaging file and Criminal Conviction Record to ensure that a narrative of the criminal offense is available for review, and
  3. Update the offender's Custody Facility Plan (CFP) using a Plan Change review type. The purpose of review will be listed as "Other", and "Juvenile Board Assessment" will be typed in the narrative box.
- C. The Counselor will recommend programs needed to address risk/needs or to prepare the offender for release. The CFP will be routed through a multidisciplinary Facility Risk Management Team for review, then submitted to the Superintendent/designee.
- D. The Superintendent/designee will submit the CFP to the Classification Unit for review by the Juvenile Board Assessment Committee.

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1. Classification employees can use the [Juvenile Board Assessment Process Job Aid](#) to further guide them in the process.


- E. If an offender who initially indicated s/he was not interested in being assessed changes his/her mind at a later date, classification employees will immediately initiate the process as soon as the offender is beyond the assessment eligibility date.

### III. Juvenile Board Assessment Committee


- A. The Juvenile Board Assessment Committee will be comprised of a multidisciplinary team with members from the following programs/units:
  1. Sex Offender Treatment Program
  2. Educational Services
  3. Substance Abuse Recovery Unit
  4. Classification
  5. Cognitive Behavioral Change
  6. Reentry
  7. Prisons Division, Correctional Program Manager (CPM) or higher
  8. Community Corrections Division
- B. The Committee will meet at least quarterly to review and assess eligible Juvenile Board offenders.
- C. Decisions made by the Juvenile Board Assessment Committee will be documented in the offender's CFP and a chrono entry in the offender's electronic file.
  1. Juvenile Board Assessment Committee recommendations for programs are final and cannot be appealed.
  2. Decisions regarding custody level, if made during the assessment process, may be appealed in writing to the Senior Administrator of Operations for Offender Change. The appeal must be clearly identified as a classification appeal.
  3. Facility placement decisions cannot be appealed.

### IV. Programming Resource Prioritization

- A. Upon completion of the assessment, the Juvenile Board Assessment Committee Chair will immediately send an email to program administrators regarding increased prioritization of programming needed for the offender.

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- B. Juvenile Board Offenders will be prioritized for programs and treatment, with the intent to have the offender finish all recommended programs by his/her Long Term Juvenile Eligibility Date.
1. The Classification Unit will build referrals for the offender in OMNI Programs for all programs recommended by the Juvenile Board Assessment Committee.
  2. Program employees/contract staff will utilize the offender's Long Term Juvenile Eligibility Date, located on the General Status screen in the offender's electronic file, as a substitute for the offender's Earned Release Date for program prioritization.
- C. If the offender refuses to participate in the identified programs, program employees/contract staff will inform the offender's assigned Counselor, who will:
1. Document the refusal in a chrono entry in the offender's electronic file using the Program Needs/Issues chrono type, noting that the program had been recommended by the Juvenile Board Assessment Committee.
  2. Document the refusal in the offender's CFP at the next scheduled classification review.
  3. At each subsequent classification review, ask the offender if s/he has changed his/her mind about participating in the recommended program. The Counselor will add this information into the offender's CFP.
- V. Compliance Review of Assessment Recommendations
- A. The Counselor will submit a CFP to the Headquarters Community Screening Committee (HCSC) review compliance with assessment recommendations:
1. For LTJUVBRD offenders when the offender has served 19 years of his/her sentence, or
  2. After an AMJUVBRD offender has served 24 years his/her sentence for review of the offender's programming requirements as identified in the Juvenile Board Assessment Process Job Aid.
- VI. Long Term Juvenile Board (LTJUVBRD) Petition
- A. After serving at least 20 years in total confinement, with no earned time or good conduct time, potential LTJUVBRD offenders who wish to be considered for early release may complete and submit DOC 09-288 Petition for Review to the ISRB, provided they have not committed any:

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1. New crimes since the time of assessment, or
2. Serious infractions in the 12 months before filing the petition.

B. The ISRB will review the petition to verify the offender's eligibility and will notify the offender and the Department of its decision.

1. If denied, the offender may file a new petition 5 years from the date of the denial, or at an earlier date as set by the ISRB.

## VII. Evaluation

A. Following the assessment, and successful petition as necessary, assigned mental health personnel will conduct a psychological evaluation for all AMJUVBRD and potential LTJUVBRD offenders who will be considered by the ISRB for early release.

1. AMJUVBRD offenders will be evaluated at one year to the end of their minimum term.
2. Potential LTJUVBRD offenders will be evaluated within 6 months after ISRB acceptance of their petition.
3. For sex offenders, the End of Sentence Review must be completed per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment. The review results will be shared with the ISRB.


B. The offender will be encouraged to participate in the evaluation process. In determining releasability, the ISRB may consider the offender's refusal to participate in the evaluation.

C. Facility mental health personnel will document their evaluation in the Psychological Evaluation for the Indeterminate Sentence Review Board report. The evaluation will include a prediction of the probability that the offender will commit another offense if released on conditions.

## VIII. Releasability Hearing

A. Upon receipt of the psychological evaluation and completion of a document search, the ISRB will hold a hearing per DOC 320.100 Indeterminate Sentence Review Board (ISRB) to determine whether the offender is more likely than not to commit another offense if released.


B. If the ISRB determines the offender will be released, the Counselor will work with the offender to immediately develop an Offender Release Plan and will forward the plan to the appropriate Field Office for investigation.

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1. The Counselor/facility Community Corrections Officer (CCO) will complete the Offender Release Plan per DOC 350.200 Offender Transition and Release and DOC 320.100 Indeterminate Sentence Review Board (ISRB).
  2. Juvenile Board offenders who have been found releasable by the ISRB and do not require End of Sentence Review per DOC 350.500 End of Sentence Review/Sexually Violent Predator Civil Commitment can be placed on outside work crews at stand alone minimum security facilities and considered for transition to a Work Release.
- C. The ISRB will set the term of community custody for the offender at the time the final release order is published. The term will not exceed the court ordered maximum sentence.
  - D. If the ISRB does not find an AMJUVBRD offender releasable, the ISRB can add up to 60 months to the offender's minimum term.
  - E. If the ISRB does not find an LTJUVBRD offender releasable, the ISRB will include in the final decision and reasons a new date, not to exceed 60 months later, when the offender can re-petition the ISRB for a release hearing.

#### IX. Transition of Juvenile Board Offenders

- A. The ISRB will submit a copy of the final decision and reasons to the Mutual Reentry Plan (MRP) Corrections Specialist 4 (CS4) in the Classification Unit for offenders who have been found releasable, with the requirement that the offender be transitioned to less restrictive custody.
- B. The CS4 will work with the Counselor to immediately develop a MRP. The plan will be submitted to the Classification Unit no later than 14 business days after receipt of the final decision and reasons.
- C. The Counselor will work with the offender to complete the MRP and:
  1. Collaborate with medical and mental health employees/contract staff to determine the offender's needs and how those needs impact placement.
  2. Ensure that the offender's Criminal Conviction Record is correct and a narrative is added for the current offense(s).
  3. Ensure the Offender Needs Assessment has been updated.
  4. Contact Victim Services to obtain or determine victim and community concerns.


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D. The Counselor will document the proposed MRP in the offender's CFP.

1. The Counselor will:

- a. Summarize the offender's risk level and needs.
- b. Identify programming to address the offender's needs and/or document the programs that the offender has completed to address his/her needs.
- c. Include, at a minimum, the following standard conditions to mitigate risk and address offender needs in the Expectation section:
  - 1) "Incur no major infractions. Any major infraction will be immediately reported to the MRP CS4 for review by the Headquarters Community Screening Committee and the MRP Staffing Committee."
  - 2) "Follow the directions and recommendations of your Counselor, Community Corrections Officer, the Indeterminate Sentence Review Board, and/or the Facility Risk Management Team, to include:
    - a) Successfully participating in available work, education, and/or treatment program(s)/interventions to address areas of high risk/needs,
    - b) Submitting to random urinalysis or breathalyzer testing,
    - c) Seeking and maintaining a full-time work assignment/employment,
    - d) Working with assigned personnel to develop an Offender Release Plan, and
    - e) Participating in available voluntary offender programs that address other reentry/transition needs."
- d. Contact proposed facilities to request screening by the Correctional Program Manager (CPM) and/or the Community Corrections Supervisor (CCS).
  - 1) Work Releases may place additional conditions to be imposed as a condition of acceptance, when eligible.




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2. The multidisciplinary FRMT will review the MRP and make appropriate recommendations or changes.
  3. The MRP will be forwarded to the CPM/CCS for each facility targeted in the plan.
    - a. The CPM/CCS may place additional conditions to be imposed as a condition of acceptance.
    - b. The CPM/CCS at the final destination as outlined in the MRP will forward the plan to the Headquarters MRP CS4.
  4. The MRP CS4 will review the recommended MRP and refer appropriate cases to HCSC.
  5. HCSC will include an ISRB representative to participate in the decisions regarding all Juvenile Board offender MRPs.
    - a. HCSC will review the plan and return to the facility for modifications or approve the plan.
    - b. HCSC may make place additional conditions or make recommendations to the plan.
  6. If approved, the plan will be submitted to the MRP Staffing Committee, which will approve or deny the plan.
- E. Infractions by Juvenile Board Offenders
1. The assigned Counselor will notify the MRP CS4 within 5 business days if a Juvenile Board offender is found guilty of any serious infraction.
  2. The MRP CS4 will notify the ISRB of the infraction.
  3. The infraction will be staffed with the Classification and Case Management Administrator to determine if the MRP should be referred back for HCSC review.

## DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

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**ATTACHMENTS:**

None

**DOC FORMS:**

[DOC 02-401 Juvenile Board Offender Acknowledgment and Declaration of Intent](#)  
[DOC 09-288 Petition for Review](#)